

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 DANE R. GILLETTE
Chief Assistant Attorney General
3 GARY W. SCHONS
Senior Assistant Attorney General
4 KEVIN VIENNA
Supervising Deputy Attorney General
5 KRISTEN KINNAIRD CHENELIA
Deputy Attorney General
6 State Bar No. 225152
110 West A Street, Suite 1100
7 San Diego, CA 92101
P.O. Box 85266
8 San Diego, CA 92186-5266
Telephone: (619) 525-4232
9 Fax: (619) 645-2271
Email: Kristen.Chenelia@doj.ca.gov
10 Attorneys for Respondent

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

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14 **ALBERTO FERNANDEZ,**

Petitioner,

15
16 **v.**

17 **M. MARTEL, Warden,**

18 Respondent.
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08-0816 JLS (CAB)

**NOTICE OF LODGMENT IN 28 U.S.C.
§ 2254 HABEAS CORPUS CASE - TO
BE SENT TO CLERK'S OFFICE**

The Honorable Cathy Ann Bencivengo

EDMUND G. BROWN JR.
Attorney General of the State of California
DANE R. GILLETTE
Chief Assistant Attorney General
GARY W. SCHONS
Senior Assistant Attorney General
RHONDA CARTWRIGHT-LADENDORF
Supervising Deputy Attorney General
KRISTEN KINNAIRD CHENELIA
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Telephone: (619) 525-4232
Fax: (619) 645-2271
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IN THE UNITED STATES DISTRICT COURT
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ALBERTO FERNANDEZ,

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v.

M. MARTEL, Warden,

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08-0816 JLS (CAB)

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U.S.C. § 2254 HABEAS CORPUS
CASE - TO BE SENT TO CLERK'S
OFFICE**

The Honorable Cathy Ann Bencivengo

RESPONDENT hereby lodges with the Court:

1. Clerk's Transcript;
2. Reporter's Transcript, Preliminary Hearing;
3. Reporter's Master Index;
4. Reporter's Transcript, Volume 3;
5. Reporter's Transcript, Volume 4;
6. Reporter's Transcript, Volume 5;
7. Reporter's Transcript, Volume 6;
8. Reporter's Transcript, Volume 7;

- 1 9. Reporter's Transcript, Volume 8;
- 2 10. Reporter's Transcript, Volume 9;
- 3 11. Reporter's Transcript, Volume 10;
- 4 12. Reporter's Transcript, Volume 11;
- 5 13. Reporter's Transcript, Volume 12;
- 6 14. Reporter's Transcript, Volume 13;
- 7 15. Reporter's Transcript, Volume 14;
- 8 16. Reporter's Transcript, Volume 15;
- 9 17. Reporter's Transcript, Volume 16;
- 10 18. Reporter's Transcript, Volume 17;
- 11 19. Appellant's Opening Brief;
- 12 20. Respondent's Brief;
- 13 21. Appellant's Reply Brief;
- 14 22. Unpublished Opinion of the Fourth District Court of Appeal, Division One;
- 15 23. Petition For Review Filed in the California Supreme Court; and
- 16 24. Order Denying Petition For Review.

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1 Because these lodged documents are copies, Respondent does not request that they be
2 returned.

3 Dated: July 11, 2008

4 Respectfully submitted,

5 EDMUND G. BROWN JR.
Attorney General of the State of California

6 DANE R. GILLETTE
Chief Assistant Attorney General

7 GARY W. SCHONS
Senior Assistant Attorney General

8 KEVIN VIENNA
Supervising Deputy Attorney General

9
10
11 s/ Kristen Kinnaird Chenelia

12 KRISTEN KINNAIRD CHENELIA
Deputy Attorney General
13 Attorneys for Respondent

14 KKC:mgs
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SD2008700394
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CERTIFICATE OF SERVICE BY U.S. MAIL

Case Name: *Fernandez v. Martel*

No.: 08-0816 JLS (CAB)

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 11, 2008, I served the following documents:

**NOTICE OF LODGMENT IN 28 U.S.C. § 2254 HABEAS CORPUS CASE -
TO BE SENT TO CLERK'S OFFICE**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Electronic Mail Notice List

I have caused the above-mentioned document(s) to be electronically served on the following person(s), who are currently on the list to receive e-mail notices for this case:

None

Manual Notice List

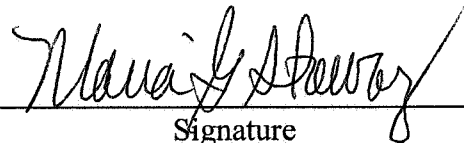
The following are those who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing):

Alberto Fernandez
CDC #F-25887
Mule Creek State Prison
P. O. Box 409040
Ione, CA 95640
In Pro Per

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 11, 2008, at San Diego, California.

Maria G. Stawarz

Declarant


Signature